

Appl. No. 10/063,786
Docket No. 121710/GEM-0006

REMARKS / ARGUMENTS

Status of Claims

Claims 1-6, 8, 10-13, and 15-19 are pending in the application. Claims 1-6, 8, 10-13, and 15-19 stand rejected. Applicants have amended Claims 1 and 19 leaving Claims 1-6, 8, 10-13, and 15-19 for consideration upon entry of the present Amendment.

Applicants respectfully submit that the rejections under 35 U.S.C. §103(a), have been traversed, that no new matter has been entered, and that the application is in condition for allowance.

Rejections Under 35 U.S.C. §103(a)

Claims 1-6, 8, 10-13, and 15-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Taguchi (U.S. Patent No. 6,584,166, hereinafter Taguchi) in view of Agiro et al. (U.S. Patent No. 5,986,662, hereinafter Argiro). Applicant traverses this rejection for the following reasons.

Applicant respectfully submits that the obviousness rejection based on the References is improper as the References fail to teach or suggest each and every element of the instant invention. For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a prima facie case of obviousness. In re Fine, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). The Examiner must meet the burden of establishing that all elements of the invention are taught or suggested in the prior art. MPEP §2143.03.

As amended claim 1 recites, a method for managing axial images, the method comprising: receiving at least a portion of a reconstructed axial image, wherein said reconstructed axial image includes a pre-selected number of completed reconstructed slices, a slice thickness and an interval value; creating a reformatted axial image in response to said portion of said reconstructed axial image, wherein said creating includes: modifying said slice thickness in response to user slice thickness input; modifying a pixel intensity in response to a user render option input; updating said interval value in

Appl. No. 10/063,786
Docket No. 121710/GEM-0006

response to user interval value input; and displaying said reformatted axial image in response to user display input, said user display input comprises: an instruction to save a current view of said reformatted axial image in a secondary capture image format; and an annotation level selection including a full annotation level, a partial annotation level, a custom annotation level, and a none annotation level, wherein the full annotation level displays a current acquisition status, a current reformat location, a current reformat thickness, a date, a patient name, and a hospital name.

Neither Taguchi nor Argiro teach or disclose all of the limitations of claim 1. Specifically, neither Taguchi nor Argiro teach or disclose a user display input comprising an annotation level selection that includes a full annotation level, a partial annotation level, a custom annotation level, and a none annotation level, wherein the full annotation level displays a current acquisition status, a current reformat location, a current reformat thickness, a date, a patient name, and a hospital name. Rather, Argiro discloses a user interface selection including an arrow button, a slider button, and a text tool that allows annotations to be placed on an image. Argiro does not suggest or teach an annotation level selection that displays a current acquisition status, a current reformat location, a current reformat thickness, a date, a patient name, and a hospital name on the image. Taguchi does not cure the deficiencies of Argiro; in fact Taguchi does not teach a user display input comprising an annotation level selection.

As amended claim 19 recites, a method for managing axial images, the method comprising: receiving a reconstructed axial image, wherein said reconstructed axial image includes a slice thickness and an interval value; creating a reformatted axial image in response to said reconstructed axial image, wherein said creating includes: modifying said slice thickness in response to user slice thickness input; modifying a pixel intensity in response to a user render option input; updating said interval value in response to user interval value input wherein said user interval value input includes an explicit value for said interval value; and displaying said reformatted axial image in response to user display input, said user display input comprises: an instruction to save a current view of said reformatted axial image in a secondary capture image format; and an annotation level

Appln. No. 10/063,786
Docket No. 121710/GEM-0006

selection including a full annotation level, a partial annotation level, a custom annotation level, and a none annotation level, wherein the full annotation level displays a current acquisition status, a current reformat location, a current reformat thickness, a date, a patient name, and a hospital name.

Neither Taguchi nor Argiro teach or disclose all of the limitations of claim 19. Specifically, neither Taguchi nor Argiro teach or disclose a user display input comprising an annotation level selection that includes a full annotation level, a partial annotation level, a custom annotation level, and a none annotation level, wherein the full annotation level displays a current acquisition status, a current reformat location, a current reformat thickness, a date, a patient name, and a hospital name. Rather, Argiro discloses a user interface selection including an arrow button, a slider button, and a text tool that allows annotations to be placed on an image. Argiro does not suggest or teach an annotation level selection that displays a current acquisition status, a current reformat location, a current reformat thickness, a date, a patient name, and a hospital name on the image. Taguchi does not cure the deficiencies of Argiro; in fact Taguchi does not teach a user display input comprising an annotation level selection.

In view of the foregoing, Applicant submits that the References fail to teach or suggest each and every element of the claimed invention and therefore cannot properly be used to establish a prima facie case of obviousness. Accordingly, Applicant respectfully requests reconsideration and withdrawal of all rejections under 35 U.S.C. §103(a), which Applicant considers to be traversed.

Claims 1 and 19 are not further objected to or rejected and Applicant submits that Claims 1 and 19 are allowable. Claims 2-6, 8, 10-13, and 15-18 are also rejected over Taguchi in view of Argiro. However, these claims depend from allowable Claim 1 and are thus correspondingly allowable. Reconsideration and allowance of Claims 1-8, 10-11, 13, and 15-19 are thus respectfully requested.

In light of the foregoing remarks and amendments, Applicant respectfully submits that the proposed amendments and arguments comply with 37 C.F.R. §1.116 and should

Appln. No. 10/063,786
Docket No. 121710/GEM-0006

therefore be entered, and with their entry that the Examiner's rejections under 35 U.S.C. §103(a), have been traversed, and that the application is now in condition for allowance. Such action is therefore respectfully requested.

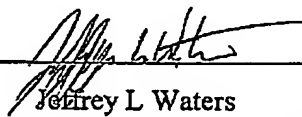
The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 07-0845.

In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,

CANTOR COLBURN LLP

Applicant's Attorneys

By: 
Jeffrey L. Waters
Registration No: 53,749
Customer No. 23413

Address: 55 Griffin Road South, Bloomfield, Connecticut 06002
Telephone: (404) 607-9991
Fax: (404) 607-9981